

**THE MINUTES OF THE CITY COUNCIL MEETING HELD
MONDAY, JULY 18, 2016 AT 3:00 P.M.**

The Meeting was called to order at 3:00 p.m. Present: Council Chair Gaylor Baird; Council Members: Eskridge, Fellers, Lamm, Raybould; Absent: Camp, Christensen; City Clerk: Teresa Meier.

Council Chair Gaylor Baird announced that a copy of the Open Meetings Law is posted at the back of the Chamber by the northwest door. She asked all present to stand and recite the Pledge of Allegiance and observe a moment of silent meditation.

READING OF THE MINUTES

RAYBOULD Having been appointed to read the minutes of the City Council proceedings of July 11, 2016, reported having done so, found same correct.

Seconded by Eskridge & carried by the following vote: AYES: Eskridge, Fellers, Gaylor Baird, Lamm, Raybould; NAYS: None; ABSENT: Camp, Christensen.

MAYOR'S AWARD OF EXCELLENCE

Mayor Chris Beutler came forward to present the Mayor's Award of Excellence for the month of May, 2016 to Jacquelyn Eden, Aging Specialist III, for the Aging Partners division of the Mayor's Department. Nominated in the category of Customer Relations and Productivity by Barb Straus for her success with the Congregate Housing Service Program Grant. This grant provided services and support to allow residents in senior housing to age in place. Jacquelyn has served as the residents counsel at Mahoney Manor, a 128 unit housing complex, owned and operated by the Lincoln Housing Authority. Jacquelyn helps elderly and disabled residents of Mahoney Manor receive the services they need to remain safe and independent in their apartment. Jacquelyn saved residents close to \$198,000.00 during the open enrollment period for the Medicare Prescription Drug Plan Insurance by reviewing the plans to see if the residents could save money by changing plans.

Randall Jones, Aging Director, came forward and stated Jacquelyn has been with Aging Partners for 12 years and has touched so many lives.

SWEARING IN OF NEW FIRE CHIEF

City Clerk, Teresa J. Meier, came forward to administer the Oath of Office to the new Fire Chief, Micheal Despain.

Council Members thanked Fire Chief Despain for his service and welcomed him to Lincoln.

Fire Chief Despain came forward and thanked the Mayor and City Administrators for this position as Fire Chief.

PUBLIC HEARING

REAPPOINTING DONNA MARVIN TO THE LINCOLN CITY LIBRARY BOARD FOR A TERM EXPIRING AUGUST 31, 2023 - Pat Leach, Libraries Director, came forward and stated she is in favor of reappointing Donna Marvin to the Library Board.

This matter was taken under advisement.

APPLICATION OF MCFARLAND FAMILY FARMS, LLC FOR A SPECIAL DESIGNATED LICENSE TO COVER AN OUTDOOR AREA MEASURING APPROXIMATELY 10 FEET BY 10 FEET AT LANCASTER EVENT CENTER AT 4100 NORTH 84TH STREET ON AUGUST 9, 2016 FROM 5:00 P.M. TO 10:00 P.M.;

APPLICATION OF STONEBRIDGE VINEYARD INC. FOR A SPECIAL DESIGNATED LICENSE TO COVER AN OUTDOOR AREA MEASURING APPROXIMATELY 80 FEET BY 40 FEET AT LANCASTER EVENT CENTER-NE LOTTERY ENTERTAINMENT TENT AT 4100 NORTH 84TH STREET ON AUGUST 9, 2016 FROM 4:00 P.M. TO 10:30 P.M.;

APPLICATION OF WHISKEY RUN CREEK VINEYARD & WINERY, LLC FOR A SPECIAL DESIGNATED LICENSE TO COVER AN OUTDOOR AREA MEASURING APPROXIMATELY 80 FEET BY 40 FEET AT LANCASTER EVENT CENTER-NE LOTTERY ENTERTAINMENT TENT AT 4100 NORTH 84TH STREET ON AUGUST 9, 2016 FROM 5:00 P.M. TO 9:30 P.M.;

APPLICATION OF WUNDEROSA, LLC FOR A SPECIAL DESIGNATED LICENSE TO COVER AN OUTDOOR AREA MEASURING APPROXIMATELY 80 FEET BY 40 FEET AT LANCASTER EVENT CENTER-NE LOTTERY ENTERTAINMENT TENT AT 4100 NORTH 84TH STREET ON AUGUST 9, 2016 FROM 5:00 P.M. TO 9:30 P.M. - Jessica Bauer, Intern at Lancaster Events Center, 4100 North 84th Street, came forward and stated she is in charge of planning this event. Jessica stated this event is during the County Fair and this will be beer and wine tasting event in the Nebraska Lottery Tent. Discussion followed.

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Barry McFarland, McFarland Family Farms, LLC, 43315 Rd., 757, Lexington, came forward and stated they will be participating in this event. Discussion followed.

This matter was taken under advisement.

APPLICATION OF OMAHA EXPOSITION & RACING FOR A SPECIAL DESIGNATED LICENSE TO COVER AN OUTDOOR AREA MEASURING APPROXIMATELY 55 FEET BY 205 FEET, AN OUTDOOR AREA MEASURING APPROXIMATELY 440 FEET BY 123 FEET, AND AN OUTDOOR AREA MEASURING APPROXIMATELY 35 FEET BY 60 FEET AT LINCOLN RACE COURSE AT 7055 SOUTH 1ST STREET ON SEPTEMBER 8, 2016, WITH A RAIN DATE OF SEPTEMBER 11, 2016, FROM 7:00 A.M. TO 2:00 A.M. - Christy Harris, 7055 South 1st Street, came forward and requested approval. Discussion followed.

This matter was taken under advisement.

APPLICATION OF SMG FOOD & BEVERAGE, LLC FOR A SPECIAL DESIGNATED LICENSE TO COVER AN OUTDOOR AREA MEASURING APPROXIMATELY 329 FEET BY 240 FEET AND 22 INCHES AT PINNACLE BANK ARENA AT 400 PINNACLE ARENA DRIVE ON AUGUST 5, 2016 FROM 8:00 A.M. TO 2:00 A.M.;

APPLICATION OF SMG FOOD & BEVERAGE, LLC FOR A SPECIAL DESIGNATED LICENSE TO COVER AN OUTDOOR AREA MEASURING APPROXIMATELY 176 FEET BY 83 FEET BY 56 FEET STADIUM TERRACE AT PINNACLE BANK ARENA AT 400 PINNACLE ARENA DRIVE ON SEPTEMBER 3, 10, & 17; OCTOBER 1 & 22; AND NOVEMBER 12 & 19, 2016 FROM 8:00 A.M. TO MIDNIGHT - Tom Lorenz, General Manager of Pinnacle Arena, came forward and stated the first of the two events, Haymarket in White, is on August 5th. This is the second year for this event, last year it was done within the plaza area, but with growing popularity they would like to expand the area and close R Street to traffic and requested approval.

Darl Naumann, President of Lincoln Haymarket Development Corp., came forward and stated this is an International Event, this would be Lincolns second year of participation and they are expecting around 720 to attend. Discussion followed.

Mr. Lorenz stated for the second event they are planning on using Stadium Terrace and are planning on 1500 to 2000 students per game. On both of these events, there is a 6' fence around the perimeter and fully staffed by arena staff for each event. Staff will be checking wrist bands and ID's at both events. Discussion followed.

Leirion Gaylor Baird, Council Chair, inquired if for the Haymarket in White Event, with R Street closed, will all intersections remain open.

Mr. Lorenz said yes. Discussion followed.

Jane Kinsey, Watch Dogs of Lincoln, 6703 Hawkins Bend, came forward in opposition of events, stating we assume these events bring in good money, we should be using this money to pay off all or some of the loan to the city. They do not feel that JPA needs to borrow money from the city and feels that JPA and PPA finances need to be investigated before we allow this event. Discussion followed.

Mr. Lorenz stated he feels with what Ms. Kinsey stated that they are talking about two different issues. They would be glad to address issues just mentioned, but thought that a JPA meeting might be a better place to have those discussions. Discussion followed.

This matter was taken under advisement.

APPLICATION OF LANCASTER CO AG SOCIETY/LANCASTER EVENT CENTER FOR A SPECIAL DESIGNATED LICENSE TO COVER AN OUTDOOR AREA MEASURING APPROXIMATELY 260 FEET BY 160 FEET AT LANCASTER SUPER FAIR ENTERTAINMENT TENT AT 4100 NORTH 84TH STREET ON AUGUST 4, 5, 6, 7, 8, 9, 10, 11, 12, & 13, 2016 FROM 1:00 P.M. TO 1:00 A.M.;

APPLICATION OF LANCASTER CO AG SOCIETY/LANCASTER EVENT CENTER FOR A SPECIAL DESIGNATED LICENSE TO COVER AN OUTDOOR AREA MEASURING APPROXIMATELY 550 FEET BY 50 FEET AT MUHLBACH MOTORSPORTS COMPLEX AT 4100 NORTH 84TH STREET ON AUGUST 4, 5, & 7, 2016 FROM NOON TO 1:00 A.M. AND AUGUST 6 & 13, 2016 FROM 10:00 A.M. TO 1:00 A.M. - Susie Weiler, 3711 North 14th Street, Fair Coordinator for the Lancaster Events Center, came forward and requested approval.

This matter was taken under advisement.

APPLICATIONS OF YIN FAMILY, LLC DBA HIRO 88, MVPZ AND ME-LINCOLN, LLC DBA BURGERFI, BREEZY ISLAND, LLC DBA BREEZY ISLAND, THE BAR AT THE YARD, LLC DBA LONGWELL'S, THE CLUB AT THE YARD DBA RULE G, HOME GROWN INDUSTRIES OF LINCOLN, LLC DBA MELLOW MUSHROOM, YARD INVESTMENTS, LLC DBA GATE 25, BW&R CANOPY, LLC DBA BUFFALO WINGS & RINGS, AND ASTRA VEGA, LLC DBA VEGA FOR A SPECIAL DESIGNATED LICENSE TO COVER AN OUTDOOR AREA IN THE RAILYARD AT 350 CANOPY STREET ON JULY 29, 2016 FROM 4:00 P.M. TO 2:00 A.M. - Tessa Warner, representing Railyard Entertainment, 440 North 8th Street, came forward and requested approval to have a concert on Canopy Street. Railyard Entertainment will do the staffing for security at this event and work with LPD as well as doing the janitorial services.

Katie Danehey, Manager of Midx Midwest, 4210 South 33rd Street, came forward and stated that this is for a concert with Scotty McCreery on Canopy Street. Discussion followed.

This matter was taken under advisement.

USE PERMIT 151A - APPLICATION OF DJT ENTERPRISES, LLC TO ADD A MEDICAL OFFICE AS A PERMITTED USE WITHIN THE EAST "O" OFFICE PARK, TOGETHER WITH A REQUEST TO REDUCE THE PARKING REQUIREMENTS FOR MEDICAL OFFICE USES ON PROPERTY GENERALLY LOCATED AT 8020 AND 8040 O STREET - Mike Eckert, Civil Design Group, 5353 Executive Woods Dr., Suite 200, came forward and stated they would like to reduce the parking requirements for medical office use. We have talked with Planning on this change and they have approved it. Discussion followed.

Carl Eskridge, Council Member, inquired if there was a medical office currently in the area.

Mr. Eckert said yes, further down from this area, they already had all the medical parking approved in the past.

This matter was taken under advisement.

ACCEPTING THE REPORT OF NEW AND PENDING CLAIMS AGAINST THE CITY AND APPROVING DISPOSITION OF CLAIMS SET FORTH FOR THE PERIOD OF JUNE 16-30, 2016 - Mark Smith, 545 North 6th Street, Seward, came forward and stated this is for the claim on 4/18/16 for damage done to his parked truck, by a drunk driver during a police chase. He states that the high speed chase started at 10th and Cornhusker and he was told that the chase was stopped at Fairfield. There were two witnesses to this and he feels the City is responsible for the damage to his truck. Discussion followed.

This matter was taken under advisement.

APPROVING DOWNTOWN LINCOLN ASSOCIATION'S 2016-2017 BID BUDGET AND PROGRAM OF WORK FOR DOWNTOWN AND WEST HAYMARKET MANAGEMENT AND MAINTENANCE BUSINESS IMPROVEMENT DISTRICTS - David Landis, Urban Development Director, came forward and stated these budgets are for maintenance that we share with Downtown Lincoln Association. The two budgets are \$731,000.00 for the maintenance and \$735,000.00 is for the management.

Cyndi Lamm, Council Member, inquired about the budget for the landfill refuse expense that they have gone up by \$3,700.00 since last year.

Terry Uland, President of Downtown Lincoln Association, came forward and stated a couple of things have happened, we had underbudgeted last year and the prices did go up mid year.

Ms. Lamm inquired about the increase in the rent.

Mr. Uland stated they have expanded since last year, needing additional space. Discussion followed.

This matter was taken under advisement.

CHANGE OF ZONE 16017 - APPLICATION OF BOARD OF REGENTS FOR THE UNIVERSITY OF NEBRASKA AND THE CITY OF LINCOLN FOR A CHANGE OF ZONE FROM R-2 RESIDENTIAL TO P PUBLIC, FROM R-4 RESIDENTIAL TO P PUBLIC, FROM R-5 RESIDENTIAL TO P PUBLIC, FROM R-6 RESIDENTIAL TO P PUBLIC, FROM I-1 INDUSTRIAL TO P PUBLIC, FROM B-3 COMMERCIAL TO P PUBLIC, FROM R-6 RESIDENTIAL TO P PUBLIC, AND FROM P PUBLIC TO R-6 RESIDENTIAL TO CLEANUP THE ZONING MAP TO REFLECT CURRENT OWNERSHIP AND USE ON PROPERTY GENERALLY LOCATED AT UNL EAST CAMPUS FROM 27TH TO 46TH STREET ALONG LEIGHTON AVENUE, AND INCLUDING LAND AT 33RD AND HOLDREGE STREETS - David Cary, Planning Director, came forward and stated this is for several little zoning changes UNL and the City wanted cleaned up.

This matter was taken under advisement.

ANNEXATION 16007 - AMENDING THE LINCOLN CORPORATE LIMITS MAP BY ANNEXING APPROXIMATELY 92.5 ACRES OF PROPERTY GENERALLY LOCATED SOUTH OF YANKEE HILL ROAD AND NORTH OF ROKEBY ROAD, BETWEEN SOUTH 27TH AND SOUTH 40TH STREETS - David Cary, Planning Director, came forward and stated this is to annex an area that is surrounded by other areas that have already been annexed, leaving a donut hole of an unannexed area that can cause problems.

This matter was taken under advisement.

APPROVING A REAL ESTATE SALES AGREEMENT BETWEEN THE CITY OF LINCOLN AND BROCK A. AND KILEY S. SHULER FOR THE SALE OF CITY OWNED PROPERTY GENERALLY LOCATED AT 1732 NORTH 28TH STREET - David Landis, Urban Development Director, came forward and stated this property has come before Council in the past, but the sale did not go through for personal reasons of the buyer. This is a new buyer and the terms remain the same. Discussion followed.

This matter was taken under advisement.

COUNCIL ACTION

REPORTS OF CITY OFFICERS

REAPPOINTING DONNA MARVIN TO THE LINCOLN CITY LIBRARY BOARD FOR A TERM EXPIRING AUGUST 31, 2023 - CLERK read the following resolution, introduced by Cyndi Lamm, who moved it adoption:

A-89855 BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska:
That the reappointment of Donna Marvin to the Lincoln City Library Board, for a term expiring August 31, 2023, is hereby approved.

Introduced by Cyndi Lamm

Seconded by Raybould & carried by the following vote: AYES: Eskridge, Fellers, Gaylor Baird, Lamm, Raybould; NAYS: None; ABSENT: Camp, Christensen.

APPROVING A SUBLEASE AGREEMENT ADDENDUM #2 TO RENEW AN EXISTING SUBLEASE BETWEEN THE CITY ON BEHALF OF THE LINCOLN POLICE DEPARTMENT AND THE STATE OF NEBRASKA ON BEHALF OF THE NEBRASKA STATE PATROL FOR A ONE YEAR TERM - CLERK read the following resolution, introduced by Cyndi Lamm, who moved it adoption:

A-89856 AN ORDINANCE accepting and approving a Sublease Agreement Addendum #2 between the Lincoln Police Department and the Department of Administrative Services, State Building Division, on behalf of Nebraska State Patrol for the renewal of the sublease of space for a term of November 1, 2016 through October 31, 2017, for use by the Nebraska State Patrol.

BE IT ORDAINED by the City Council of the City of Lincoln, Nebraska:

Section 1. That the Sublease Agreement Addendum #2 between the Lincoln Police Department and the Department of Administrative Services, State Building Division, on behalf of Nebraska State Patrol which is attached hereto marked as Attachment "A" and made a part hereof by reference under which the City will sublease space to the Nebraska State Patrol for a period of one year upon the terms and conditions as set forth in said Sublease Agreement Addendum #2 is hereby accepted and approved, and the Mayor is authorized to execute said Sublease Agreement on behalf of the City.

Section 2. The City Clerk is directed to return one fully executed copy of said lease to Tonya Peters, Lincoln Police Department for transmittal to the Department of Administrative Services, State Building Division.

Introduced by Cyndi Lamm

Seconded by Raybould & carried by the following vote: AYES: Eskridge, Fellers, Gaylor Baird, Lamm, Raybould; NAYS: None; ABSENT: Camp, Christensen.

LINCOLN AIRPORT AUTHORITY RESOLUTION NO. 613 STATING THAT NO TAX LEVY SHOULD BE MADE FOR AIRPORT PURPOSES FOR THE FISCAL YEAR BEGINNING JULY 1, 2016. THIS BEING THE 30TH CONSECUTIVE YEAR NO LEVY IS REQUIRED FOR THE COMING YEAR - CLERK presented said report which was placed on file in the Office of the City Clerk. **(54-2)**

APPROVING THE DISTRIBUTION OF FUNDS REPRESENTING INTEREST EARNINGS ON SHORT-TERM INVESTMENTS OF IDLE FUNDS DURING THE MONTH ENDED MAY 31, 2016 - CLERK read the following resolution, introduced by Jane Raybould, who moved it adoption:

A-89857 BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska:
That during the month ended May 31, 2016 \$64,881.50 was earned from the investments of "IDLE FUNDS". The same is hereby distributed to the various funds on a pro-rata basis using the balance of each fund and allocating a portion of the interest on the ratio that such balance bears to the total of all fund balances.

Introduced by Jane Raybould

Seconded by Fellers & carried by the following vote: AYES: Eskridge, Fellers, Gaylor Baird, Lamm, Raybould; NAYS: None; ABSENT: Camp, Christensen.

PETITIONS & COMMUNICATIONS

SETTING THE HEARING DATE OF MONDAY, AUGUST 1, 2016 AT 3:00 P.M. ON THE APPLICATION OF BLUE BLOOD BREWING COMPANY, INC. DBA BLUE BLOOD BREWING COMPANY TO AMEND THEIR CLASS C LICENSE FOR AN ADDITION OF AN ENTIRE CAVE COMPLEX AT 925 ROBBERS CAVE - CLERK read the following resolution, introduced by Jane Raybould, who moved it adoption:

A-89858 BE IT RESOLVED by the City Council, of the City of Lincoln, that a hearing date is hereby set for Monday, August 1, 2016, at 3:00 p.m. or as soon thereafter as possible in the City Council Chambers, County-City Building, 555 S. 10th St., Lincoln, NE for the Application of Blue Blood Brewing Company, Inc. dba Blue Blood Brewing Company to amend their Class C License for an addition of an entire cave complex at 925 Robbers Cave.

If the Police Dept. is unable to complete the investigation by said time, a new hearing date will be set.

Introduced by Jane Raybould

Seconded by Fellers & carried by the following vote: AYES: Eskridge, Fellers, Gaylor Baird, Lamm, Raybould; NAYS: None; ABSENT: Camp, Christensen.

SETTING THE HEARING DATE OF MONDAY, AUGUST 1, 2016 AT 3:00 P.M. ON THE APPLICATION OF BLUE BLOOD BREWING COMPANY, INC. DBA BLUE BLOOD BREWING COMPANY TO AMEND THEIR CLASS LK LICENSE FOR AN ADDITION OF AN ENTIRE CAVE COMPLEX AT 925 ROBBERS CAVE - CLERK read the following resolution, introduced by Jane Raybould, who moved it adoption:

A-89859 BE IT RESOLVED by the City Council, of the City of Lincoln, that a hearing date is hereby set for Monday, August 1, 2016, at 3:00 p.m. or as soon thereafter as possible in the City Council Chambers, County-City Building, 555 S. 10th St., Lincoln, NE for the Application of Blue Blood Brewing Company, Inc. dba Blue Blood Brewing Company to amend their Class LK License for an addition of an entire cave complex at 925 Robbers Cave.

If the Police Dept. is unable to complete the investigation by said time, a new hearing date will be set.

Introduced by Jane Raybould

Seconded by Fellers & carried by the following vote: AYES: Eskridge, Fellers, Gaylor Baird, Lamm, Raybould; NAYS: None; ABSENT: Camp, Christensen.

SETTING THE HEARING DATE OF MONDAY, AUGUST 1, 2016 AT 3:00 P.M. ON THE APPLICATION OF HEINEGILL INC. DBA DISH RESTAURANT FOR A CLASS I LIQUOR LICENSE AT 1100 O STREET - CLERK read the following resolution, introduced by Jane Raybould, who moved it adoption:

A-89860 BE IT RESOLVED by the City Council, of the City of Lincoln, that a hearing date is hereby set for Monday, August 1, 2016, at 3:00 p.m. or as soon thereafter as possible in the City Council Chambers, County-City Building, 555 S. 10th St., Lincoln, NE for the Application of HeineGill Inc. dba Dish Restaurant for a Class I Liquor License at 1100 O Street.

If the Police Dept. is unable to complete the investigation by said time, a new hearing date will be set.

Introduced by Jane Raybould

Seconded by Fellers & carried by the following vote: AYES: Eskridge, Fellers, Gaylor Baird, Lamm, Raybould; NAYS: None; ABSENT: Camp, Christensen.

SETTING THE HEARING DATE OF MONDAY, AUGUST 1, 2016 AT 3:00 P.M. ON THE APPLICATION OF CASEY'S RETAIL COMPANY DBA CASEY'S GENERAL STORE #3515 FOR A CLASS D LIQUOR LICENSE AT 110 NW 20TH STREET - CLERK read the following resolution, introduced by Jane Raybould, who moved it adoption:

A-89861 BE IT RESOLVED by the City Council, of the City of Lincoln, that a hearing date is hereby set for Monday, August 1, 2016, at 3:00 p.m. or as soon thereafter as possible in the City Council Chambers, County-City Building, 555 S. 10th St., Lincoln, NE for the Application of Casey's Retail Company dba Casey's General Store #3515 for a Class D Liquor License at 110 NW 20th Street.

If the Police Dept. is unable to complete the investigation by said time, a new hearing date will be set.

Introduced by Jane Raybould

Seconded by Fellers & carried by the following vote: AYES: Eskridge, Fellers, Gaylor Baird, Lamm, Raybould; NAYS: None; ABSENT: Camp, Christensen.

SETTING THE HEARING DATE OF MONDAY, AUGUST 1, 2016 AT 3:00 P.M. ON THE MANAGER APPLICATION OF JEREMIAH D. JORGENSEN FOR SAM'S WEST INC. DBA SAM'S CLUB #6413 AT 4900 N. 27TH STREET - CLERK read the following resolution, introduced by Jane Raybould, who moved it adoption:

A-89862 BE IT RESOLVED by the City Council, of the City of Lincoln, that a hearing date is hereby set for Monday, August 1, 2016, at 3:00 p.m. or as soon thereafter as possible in the City Council Chambers, County-City Building, 555 S. 10th St., Lincoln, NE for the Manager Application of Jeremiah D. Jorgensen for Sam's West Inc. dba Sam's Club #6413 at 4900 N. 27th Street.

If the Police Dept. is unable to complete the investigation by said time, a new hearing date will be set.

Introduced by Jane Raybould

Seconded by Fellers & carried by the following vote: AYES: Eskridge, Fellers, Gaylor Baird, Lamm, Raybould; NAYS: None; ABSENT: Camp, Christensen.

SETTING THE HEARING DATE OF MONDAY, AUGUST 1, 2016 AT 3:00 P.M. ON THE MANAGER APPLICATION OF KATRIN ZIMMERMAN FOR SOONERS OR LATER INC. DBA BUFFALO WILD WINGS AT 8701 ANDERMATT DRIVE - CLERK read the following resolution, introduced by Jane Raybould, who moved it adoption:

A-89863 BE IT RESOLVED by the City Council, of the City of Lincoln, that a hearing date is hereby set for Monday, August 1, 2016, at 3:00 p.m. or as soon thereafter as possible in the City Council Chambers, County-City Building, 555 S. 10th St., Lincoln, NE for the Manager Application of Katrin Zimmerman for Sooners or Later Inc. dba Buffalo Wild Wings at 8701 Andermatt Drive.

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If the Police Dept. is unable to complete the investigation by said time, a new hearing date will be set.

Introduced by Jane Raybould

Seconded by Fellers & carried by the following vote: AYES: Eskridge, Fellers, Gaylor Baird, Lamm, Raybould; NAYS: None; ABSENT: Camp, Christensen.

THE FOLLOWING WERE REFERRED TO THE PLANNING DEPT:

SPECIAL PERMIT NO. 11025A, TO REVISE AN AREA OF THE EXISTING COMMUNITY UNIT PLAN TO ACCOMMODATE 40 SINGLE-FAMILY ATTACHED LOTS, WITH WAIVERS ASSOCIATED WITH RIGHT-OF-WAY, STORM WATER DETENTION FACILITIES, SANITARY SEWER, CENTERLINE GRADE, BLOCK LENGTH, LOT DEPTH, WIDTH-TO-DEPTH RATIO, AND SETBACKS ON PROPERTY GENERALLY LOCATED AT NORTH 40TH AND TURNER STREETS. THE PLANNING COMMISSION ACTION IS FINAL, UNLESS APPEALED TO THE CITY COUNCIL.
SPECIAL PERMIT NO. 16029, TO ALLOW A TEMPORARY ROCK CRUSHER, ON PROPERTY GENERALLY LOCATED AT 1675 SALTILLO ROAD. THE PLANNING COMMISSION ACTION IS FINAL, UNLESS APPEALED TO THE CITY COUNCIL.

LIQUOR RESOLUTIONS

APPLICATION OF MCFARLAND FAMILY FARMS, LLC FOR A SPECIAL DESIGNATED LICENSE TO COVER AN OUTDOOR AREA MEASURING APPROXIMATELY 10 FEET BY 10 FEET AT LANCASTER EVENT CENTER AT 4100 NORTH 84TH STREET ON AUGUST 9, 2016 FROM 5:00 P.M. TO 10:00 P.M. - CLERK read the following resolution, introduced by Trent Fellers, who moved its adoption for approval:

A-89864 BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska:

That after hearing duly had as required by law, consideration of the facts of this application, the Nebraska Liquor Control Act, and the pertinent City ordinances, the City Council recommends that the application of McFarland Family Farms, LLC for a special designated license to cover an outdoor area measuring approximately 10 feet by 10 feet at Lancaster Event Center at 4100 North 84th Street, Lincoln, Nebraska, on August 9, 2016, between the hours of 5:00 p.m. and 10:00 p.m., be approved with the condition that the premises complies in every respect with all City and State regulations and with the following requirements:

1. Identification to be checked, wristbands required on all parties wishing to consume alcohol.
2. Adequate security shall be provided for the event.
3. The area requested for the permit shall be separated from the public by a fence or other means.
4. Responsible alcohol service practices shall be followed.

BE IT FURTHER RESOLVED the City Clerk is directed to transmit a copy of this resolution to the Nebraska Liquor Control Commission.

Introduced by Trent Fellers

Seconded by Lamm & carried by the following vote: AYES: Eskridge, Fellers, Gaylor Baird, Lamm, Raybould; NAYS: None; ABSENT: Camp, Christensen.

APPLICATION OF STONEBRIDGE VINEYARD INC. FOR A SPECIAL DESIGNATED LICENSE TO COVER AN OUTDOOR AREA MEASURING APPROXIMATELY 80 FEET BY 40 FEET AT LANCASTER EVENT CENTER-NE LOTTERY ENTERTAINMENT TENT AT 4100 NORTH 84TH STREET ON AUGUST 9, 2016 FROM 4:00 P.M. TO 10:30 P.M. - CLERK read the following resolution, introduced by Trent Fellers, who moved its adoption for approval:

A-89865 BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska:

That after hearing duly had as required by law, consideration of the facts of this application, the Nebraska Liquor Control Act, and the pertinent City ordinances, the City Council recommends that the application of Stonebridge Vineyard Inc. for a special designated license to cover an outdoor area measuring approximately 80 feet by 40 feet at Lancaster Event Center-NE Lottery Entertainment Tent at 4100 North 84th Street, Lincoln, Nebraska, on August 9, 2016, between the hours of 4:00 p.m. and 10:30 p.m., be approved with the condition that the premises complies in every respect with all City and State regulations and with the following requirements:

1. Identification to be checked, wristbands required on all parties wishing to consume alcohol.
2. Adequate security shall be provided for the event.
3. The area requested for the permit shall be separated from the public by a fence or other means.
4. Responsible alcohol service practices shall be followed.

BE IT FURTHER RESOLVED the City Clerk is directed to transmit a copy of this resolution to the Nebraska Liquor Control Commission.

Introduced by Trent Fellers

Seconded by Lamm & carried by the following vote: AYES: Eskridge, Fellers, Gaylor Baird, Lamm, Raybould; NAYS: None; ABSENT: Camp, Christensen.

APPLICATION OF WHISKEY RUN CREEK VINEYARD & WINERY, LLC FOR A SPECIAL DESIGNATED LICENSE TO COVER AN OUTDOOR AREA MEASURING APPROXIMATELY 80 FEET BY 40 FEET AT LANCASTER EVENT CENTER-NE LOTTERY ENTERTAINMENT TENT AT 4100 NORTH 84TH STREET ON AUGUST 9, 2016 FROM 5:00 P.M. TO 9:30 P.M. - CLERK read the following resolution, introduced by Trent Fellers, who moved its adoption for approval:

A-89866 BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska:

That after hearing duly had as required by law, consideration of the facts of this application, the Nebraska Liquor Control Act, and the pertinent City ordinances, the City Council recommends that the application of Whiskey Run Creek Vineyard & Winery, LLC for a special designated license to cover an outdoor area measuring approximately 80 feet by 40 feet at Lancaster Event Center-NE Lottery Entertainment Tent at 4100 North 84th Street, Lincoln, Nebraska, on August 9, 2016, between the hours of 5:00 p.m. and 9:30 p.m., be approved with the condition that the premises complies in every respect with all City and State regulations and with the following requirements:

1. Identification to be checked, wristbands required on all parties wishing to consume alcohol.
2. Adequate security shall be provided for the event.
3. The area requested for the permit shall be separated from the public by a fence or other means.
4. Responsible alcohol service practices shall be followed.

BE IT FURTHER RESOLVED the City Clerk is directed to transmit a copy of this resolution to the Nebraska Liquor Control Commission.

Introduced by Trent Fellers

Seconded by Lamm & carried by the following vote: AYES: Eskridge, Fellers, Gaylor Baird, Lamm, Raybould; NAYS: None; ABSENT: Camp, Christensen.

APPLICATION OF WUNDEROSA, LLC FOR A SPECIAL DESIGNATED LICENSE TO COVER AN OUTDOOR AREA MEASURING APPROXIMATELY 80 FEET BY 40 FEET AT LANCASTER EVENT CENTER-NE LOTTERY ENTERTAINMENT TENT AT 4100 NORTH 84TH STREET ON AUGUST 9, 2016 FROM 5:00 P.M. TO 9:30 P.M. - CLERK read the following resolution, introduced by Trent Fellers, who moved its adoption for approval:

A-89867 BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska:

That after hearing duly had as required by law, consideration of the facts of this application, the Nebraska Liquor Control Act, and the pertinent City ordinances, the City Council recommends that the application of Wunderosa, LLC for a special designated license to cover an outdoor area measuring approximately 80 feet by 40 feet at Lancaster Event Center-NE Lottery Entertainment Tent at 4100 North 84th Street, Lincoln, Nebraska, on August 9, 2016, between the hours of 5:00 p.m. and 9:30 p.m., be approved with the condition that the premises complies in every respect with all City and State regulations and with the following requirements:

1. Identification to be checked, wristbands required on all parties wishing to consume alcohol.
2. Adequate security shall be provided for the event.
3. The area requested for the permit shall be separated from the public by a fence or other means.
4. Responsible alcohol service practices shall be followed.

BE IT FURTHER RESOLVED the City Clerk is directed to transmit a copy of this resolution to the Nebraska Liquor Control Commission.

Introduced by Trent Fellers

Seconded by Lamm & carried by the following vote: AYES: Eskridge, Fellers, Gaylor Baird, Lamm, Raybould; NAYS: None; ABSENT: Camp, Christensen.

APPLICATION OF OMAHA EXPOSITION & RACING FOR A SPECIAL DESIGNATED LICENSE TO COVER AN OUTDOOR AREA MEASURING APPROXIMATELY 55 FEET BY 205 FEET, AN OUTDOOR AREA MEASURING APPROXIMATELY 440 FEET BY 123 FEET, AND AN OUTDOOR AREA MEASURING APPROXIMATELY 35 FEET BY 60 FEET AT LINCOLN RACE COURSE AT 7055 SOUTH 1ST STREET ON SEPTEMBER 8, 2016, WITH A RAIN DATE OF SEPTEMBER 11, 2016, FROM 7:00 A.M. TO 2:00 A.M. - CLERK read the following resolution, introduced by Trent Fellers, who moved its adoption for approval:

A-89868 BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska:

That after hearing duly had as required by law, consideration of the facts of this application, the Nebraska Liquor Control Act, and the pertinent City ordinances, the City Council recommends that the application of Omaha Exposition & Racing for a special designated license to cover an outdoor area measuring approximately 55 feet by 205 feet, an outdoor area measuring approximately 440 feet by 123 feet, and an outdoor area measuring approximately 35 feet by 60 feet at Lincoln Race Course at 7055 South 1st Street, Lincoln, Nebraska, on September 8, 2016, with a rain date of September 11, 2016, between the hours of 7:00 a.m. and 2:00 a.m., be approved with the condition that the premises complies in every respect with all City and State regulations and with the following requirements:

1. Identification to be checked, wristbands required on all parties wishing to consume alcohol.
2. Adequate security shall be provided for the event.

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3. The area requested for the permit shall be separated from the public by a fence or other means.
4. Responsible alcohol service practices shall be followed.

BE IT FURTHER RESOLVED the City Clerk is directed to transmit a copy of this resolution to the Nebraska Liquor Control Commission.

Introduced by Trent Fellers

Seconded by Lamm & carried by the following vote: AYES: Eskridge, Fellers, Gaylor Baird, Lamm, Raybould; NAYS: None; ABSENT: Camp, Christensen.

APPLICATION OF SMG FOOD & BEVERAGE, LLC FOR A SPECIAL DESIGNATED LICENSE TO COVER AN OUTDOOR AREA MEASURING APPROXIMATELY 329 FEET BY 240 FEET AND 22 INCHES AT PINNACLE BANK ARENA AT 400 PINNACLE ARENA DRIVE ON AUGUST 5, 2016 FROM 8:00 A.M. TO 2:00 A.M. - PRIOR to reading:

FELLERS Moved to delay Action for 1 week to 07/25/16.

Seconded by Eskridge & carried by the following vote: AYES: Eskridge, Fellers, Gaylor Baird, Lamm, Raybould; NAYS: None; ABSENT: Camp, Christensen.

APPLICATION OF SMG FOOD & BEVERAGE, LLC FOR A SPECIAL DESIGNATED LICENSE TO COVER AN OUTDOOR AREA MEASURING APPROXIMATELY 176 FEET BY 83 FEET BY 56 FEET STADIUM TERRACE AT PINNACLE BANK ARENA AT 400 PINNACLE ARENA DRIVE ON SEPTEMBER 3, 10, & 17; OCTOBER 1 & 22; AND NOVEMBER 12 & 19, 2016 FROM 8:00 A.M. TO MIDNIGHT - CLERK read the following resolution, introduced by Trent Fellers, who moved its adoption for approval:

A-89869 BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska:

That after hearing duly had as required by law, consideration of the facts of this application, the Nebraska Liquor Control Act, and the pertinent City ordinances, the City Council recommends that the application of SMG Food & Beverage, LLC for a special designated license to cover an outdoor area measuring approximately 176 feet by 83 feet by 56 feet Stadium Terrace at Pinnacle Bank Arena at 400 Pinnacle Arena Drive, Lincoln, Nebraska, on September 3, 10, & 17; October 1 & 22; and November 12 & 19, 2016, between the hours of 8:00 a.m. and midnight, be approved with the condition that the premises complies in every respect with all City and State regulations and with the following requirements:

1. Identification to be checked, wristbands required on all parties wishing to consume alcohol.
2. Adequate security shall be provided for the event.
3. The area requested for the permit shall be separated from the public by a fence or other means.
4. Responsible alcohol service practices shall be followed.

BE IT FURTHER RESOLVED the City Clerk is directed to transmit a copy of this resolution to the Nebraska Liquor Control Commission.

Introduced by Trent Fellers

Seconded by Lamm & carried by the following vote: AYES: Eskridge, Fellers, Gaylor Baird, Lamm, Raybould; NAYS: None; ABSENT: Camp, Christensen.

APPLICATION OF LANCASTER CO AG SOCIETY/LANCASTER EVENT CENTER FOR A SPECIAL DESIGNATED LICENSE TO COVER AN OUTDOOR AREA MEASURING APPROXIMATELY 260 FEET BY 160 FEET AT LANCASTER SUPER FAIR ENTERTAINMENT TENT AT 4100 NORTH 84TH STREET ON AUGUST 4, 5, 6, 7, 8, 9, 10, 11, 12, & 13, 2016 FROM 1:00 P.M. TO 1:00 A.M.- CLERK read the following resolution, introduced by Trent Fellers, who moved its adoption for approval:

A-89870 BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska:

That after hearing duly had as required by law, consideration of the facts of this application, the Nebraska Liquor Control Act, and the pertinent City ordinances, the City Council recommends that the application of Lancaster Co Ag Society/Lancaster Event Center for a special designated license to cover an outdoor area measuring approximately 260 feet by 160 feet at Lancaster Super Fair Entertainment Tent at 4100 North 84th Street, Lincoln, Nebraska, on August 4, 5, 6, 7, 8, 9, 10, 11, 12, & 13, 2016, between the hours of 1:00 p.m. and 1:00 a.m., be approved with the condition that the premises complies in every respect with all City and State regulations and with the following requirements:

1. Identification to be checked, wristbands required on all parties wishing to consume alcohol.
2. Adequate security shall be provided for the event.
3. The area requested for the permit shall be separated from the public by a fence or other means.
4. Responsible alcohol service practices shall be followed.

BE IT FURTHER RESOLVED the City Clerk is directed to transmit a copy of this resolution to the Nebraska Liquor Control Commission.

Introduced by Trent Fellers

Seconded by Lamm & carried by the following vote: AYES: Eskridge, Fellers, Gaylor Baird, Lamm, Raybould; NAYS: None; ABSENT: Camp, Christensen.

APPLICATION OF LANCASTER CO AG SOCIETY/LANCASTER EVENT CENTER FOR A SPECIAL DESIGNATED LICENSE TO COVER AN OUTDOOR AREA MEASURING APPROXIMATELY 550 FEET BY 50 FEET AT MUHLBACH MOTORSPORTS COMPLEX AT 4100 NORTH 84TH STREET ON AUGUST 4, 5, & 7, 2016 FROM NOON TO 1:00 A.M. AND AUGUST 6 & 13, 2016 FROM 10:00 A.M. TO 1:00 A.M. - CLERK read the following resolution, introduced by Trent Fellers, who moved its adoption for approval:

A-89871 BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska:

That after hearing duly had as required by law, consideration of the facts of this application, the Nebraska Liquor Control Act, and the pertinent City ordinances, the City Council recommends that the application of Lancaster Co Ag Society/Lancaster Event Center for a special designated license to cover an outdoor area measuring approximately 550 feet by 50 feet at Muhlbach Motorsports Complex at 4100 North 84th Street, Lincoln, Nebraska, on August 4, 5, & 7, 2016, between the hours of noon and 1:00 a.m. and August 6 & 13, 2016, between the hours of 10:00 a.m. and 1:00 a.m., be approved with the condition that the premises complies in every respect with all City and State regulations and with the following requirements:

1. Identification to be checked, wristbands required on all parties wishing to consume alcohol.
2. Adequate security shall be provided for the event.
3. The area requested for the permit shall be separated from the public by a fence or other means.
4. Responsible alcohol service practices shall be followed.

BE IT FURTHER RESOLVED the City Clerk is directed to transmit a copy of this resolution to the Nebraska Liquor Control Commission.

Introduced by Trent Fellers

Seconded by Lamm & carried by the following vote: AYES: Eskridge, Fellers, Gaylor Baird, Lamm, Raybould; NAYS: None; ABSENT: Camp, Christensen.

APPLICATIONS OF YIN FAMILY, LLC DBA HIRO 88, MVPZ AND ME-LINCOLN, LLC DBA BURGERFI, BREEZY ISLAND, LLC DBA BREEZY ISLAND, THE BAR AT THE YARD, LLC DBA LONGWELL'S, THE CLUB AT THE YARD DBA RULE G, HOME GROWN INDUSTRIES OF LINCOLN, LLC DBA MELLOW MUSHROOM, YARD INVESTMENTS, LLC DBA GATE 25, BW&R CANOPY, LLC DBA BUFFALO WINGS & RINGS, AND ASTRA VEGA, LLC DBA VEGA FOR A SPECIAL DESIGNATED LICENSE TO COVER AN OUTDOOR AREA IN THE RAILYARD AT 350 CANOPY STREET ON JULY 29, 2016 FROM 4:00 P.M. TO 2:00 A.M. - CLERK read the following resolution, introduced by Trent Fellers, who moved its adoption for approval:

A-89872 BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska:

That after hearing duly had as required by law, consideration of the facts of this application, the Nebraska Liquor Control Act, and the pertinent City ordinances, the City Council recommends that the applications of Yin Family, LLC dba Hiro 88, MVPZ AND ME-Lincoln, LLC dba BurgerFi, Breezy Island, LLC dba Breezy Island, The Bar at the Yard, LLC dba Longwell's, The Club at the Yard, LLC dba Rule G, Home Grown Industries of Lincoln, LLC dba Mellow Mushroom, Yard Investments, LLC dba Gate 25, BW&R Canopy, LLC dba Buffalo Wings & Rings, and Astra Vega, LLC dba Vega for a special designated license to cover an outdoor area in the Railyard at 350 Canopy Street, Lincoln, Nebraska, on July 29, 2016, between the hours of 4:00 p.m. and 2:00 a.m., be approved with the condition that the premises complies in every respect with all City and State regulations and with the following requirements:

1. Identification to be checked, wristbands required on all parties wishing to consume alcohol.
2. Adequate security shall be provided for the event.
3. The area requested for the permit shall be separated from the public by a fence or other means.
4. Responsible alcohol service practices shall be followed.

BE IT FURTHER RESOLVED the City Clerk is directed to transmit a copy of this resolution to the Nebraska Liquor Control Commission.

Introduced by Trent Fellers

Seconded by Lamm & carried by the following vote: AYES: Eskridge, Fellers, Gaylor Baird, Lamm, Raybould; NAYS: None; ABSENT: Camp, Christensen.

PUBLIC HEARING - RESOLUTIONS

USE PERMIT 151A - APPLICATION OF DJT ENTERPRISES, LLC TO ADD A MEDICAL OFFICE AS A PERMITTED USE WITHIN THE EAST "O" OFFICE PARK, TOGETHER WITH A REQUEST TO REDUCE THE PARKING REQUIREMENTS FOR MEDICAL OFFICE USES ON PROPERTY GENERALLY LOCATED AT 8020 AND 8040 O STREET - CLERK read the following resolution, introduced by Cyndi Lamm, who moved it adoption:

A-89873 WHEREAS, DJT Enterprise, LLC, has submitted an application designated as Use Permit No. 151A to add medical office as a permitted use within the East "O" Office Park, together with a request to reduce the parking requirements for medical office uses, on property generally located at 8020 and 8040 O Street, and legally described as:

Lots 1 and 2, East “O” Street Office Park Addition, located in the Southeast Quarter of Section 22, Township 10 North, Range 7 East of the 6th P.M., Lincoln, Lancaster County, Nebraska.

WHEREAS, the real property adjacent to the area included within the site plan for this use permit will not be adversely affected; and

WHEREAS, said site plan together with the terms and conditions hereinafter set forth are consistent with the intent and purpose of Title 27 of the Lincoln Municipal Code to promote the public health, safety, and general welfare.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska:

That the application of DJT Enterprise, LLC, hereinafter referred to as "Permittee", to add medical office as a permitted use within the East “O” Office Park, together with a request to reduce the parking requirements for medical office uses, on the property legally described above, be and the same is hereby granted upon condition that construction and operation of said commercial development be in substantial compliance with said application, the site plan, and the following additional express terms, conditions, and requirements:

1. This permit approves medical office as a permitted use within the East “O” Office Park Use Permit and grants a waiver to 27.67.040(f) to reduce the required parking for doctors’ and dentists’ offices from 1 stall per 225 square feet of total floor area to 1 stall per 300 square feet of floor area.
2. Before receiving building permits, the Permittee shall cause to be prepared and submitted to the Planning Department a revised and reproducible final plot (site) plan including 3 copies which revises the Land Use & Parking Summary table to reflect the floor area for Lot 2 and number of parking stalls as shown on the site plan.
3. Before receiving building permits for Lot 2, landscaping shall be installed on the south side of Lot 2 per the landscaping plan approved with Use Permit #151.
4. Before occupying the buildings all development and construction is to substantially comply with the approved plans.
5. All privately-owned improvements, including landscaping, are to be permanently maintained by the Permittee or an appropriately established owners association approved by the City.
6. The physical location of all setbacks and yards, buildings, parking and circulation elements, and similar matters must be in substantial compliance with the location of said items as shown on the approved site plan.
7. The terms, conditions, and requirements of this resolution run with the land and are binding upon the Permittee, its successors, and assigns.
8. The Permittee shall sign and return the letter of acceptance to the City Clerk. This step should be completed within 60 days following the approval of the special permit. The City Clerk shall file a copy of the resolution approving the special permit and the letter of acceptance with the Register of Deeds, filing fees therefor to be paid in advance by the Permittee. Building permits will not be issued until the letter of acceptance has been filed.

Introduced by Cyndi Lamm

Seconded by Fellers & carried by the following vote: AYES: Eskridge, Fellers, Gaylor Baird, Lamm, Raybould; NAYS: None; ABSENT: Camp, Christensen.

ACCEPTING THE REPORT OF NEW AND PENDING CLAIMS AGAINST THE CITY AND APPROVING DISPOSITION OF CLAIMS SET FORTH FOR THE PERIOD OF JUNE 16-30, 2016 - PRIOR to reading:

LAMM Moved to remove claim of Mark Smith from the Denied List.
Seconded by Fellers & carried by the following vote; AYES: Eskridge, Fellers, Gaylor Baird, Lamm, Raybould; NAYS: None; ABSENT: Camp, Christensen.

CLERK Read the following resolution, introduced by Cyndi Lamm, who moved it adoption as amended:
A-89873 BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska:

That the claims listed in the attached report, marked as Exhibit "A", dated July 1, 2016, of various new and pending tort claims filed against the City of Lincoln with the Office of the City Attorney or the Office of the City Clerk, as well as claims which have been disposed of, are hereby received as required by Neb. Rev. Stat. § 13-905 (Reissue 1997). The dispositions of claims by the Office of the City Attorney, as shown by the attached report, are hereby approved:

<u>DENIED CLAIMS</u>		<u>ALLOWED/SETTLED CLAIMS</u>	
Farmers Mutual a/s/o		State Farm a/s/o	
Jennifer & Joseph Hennecke	\$5,000.00	Deloris Hornung	\$ 935.21
Megan Merz	2,835.43	Jack Sukovaty	625.75
Miles Mayer	569.65	Lonnie Soderling	818.44
Mark Smith	6,869.46	Lyle R. Johnson	8,142.86
		Sapp Bros. Petroleum	1,492.64

The City Attorney is hereby directed to mail to the various claimants listed herein a copy of this resolution which shows the final disposition of their claim.

Introduced by Cyndi Lamm

Seconded by Eskridge & carried by the following vote: AYES: Eskridge, Fellers, Gaylor Baird, Lamm, Raybould; NAYS: None; ABSENT: Camp, Christensen.

APPROVING DOWNTOWN LINCOLN ASSOCIATION’S 2016-2017 BID BUDGET AND PROGRAM OF WORK FOR DOWNTOWN AND WEST HAYMARKET MANAGEMENT AND MAINTENANCE BUSINESS IMPROVEMENT DISTRICTS - CLERK read the following resolution, introduced by Cyndi Lamm, who moved it adoption:

A-89875 WHEREAS, the City of Lincoln has entered into a contract with the Downtown Lincoln Association for the provision of services within the various Downtown and West Haymarket/Downtown Management and Maintenance Business Improvement Districts; and

WHEREAS, said contract requires the submittal of a work plan and annual budgets for work to be performed in the Downtown and West Haymarket/Downtown Management and Maintenance Districts by the Downtown Lincoln Association.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska:

That the attached 2016-2017 Maintenance and Management BID Budgets and Program of Work to be performed by the Downtown Lincoln Association for the period of September 1, 2016 to August 31, 2017 which is attached hereto and marked as Attachment "A" is hereby approved.

Introduced by Cyndi Lamm

Seconded by Raybould & carried by the following vote: AYES: Eskridge, Fellers, Gaylor Baird, Lamm, Raybould; NAYS: None; ABSENT: Camp, Christensen.

PUBLIC HEARING ORDINANCES - 2ND READING & RELATED RESOLUTIONS (as required)

CHANGE OF ZONE 16017 - APPLICATION OF BOARD OF REGENTS FOR THE UNIVERSITY OF NEBRASKA AND THE CITY OF LINCOLN FOR A CHANGE OF ZONE FROM R-2 RESIDENTIAL TO P PUBLIC, FROM R-4 RESIDENTIAL TO P PUBLIC, FROM R-5 RESIDENTIAL TO P PUBLIC, FROM R-6 RESIDENTIAL TO P PUBLIC, FROM I-1 INDUSTRIAL TO P PUBLIC, FROM B-3 COMMERCIAL TO P PUBLIC, FROM R-6 RESIDENTIAL TO P PUBLIC, AND FROM P PUBLIC TO R-6 RESIDENTIAL TO CLEANUP THE ZONING MAP TO REFLECT CURRENT OWNERSHIP AND USE ON PROPERTY GENERALLY LOCATED AT UNL EAST CAMPUS FROM 27TH TO 46TH STREET ALONG LEIGHTON AVENUE, AND INCLUDING LAND AT 33RD AND HOLDREGE STREETS - CLERK read an ordinance, introduced by Cyndi Lamm, an ordinance amending the City of Lincoln Zoning District Map adopted by reference and made a part of Title 27 of the Lincoln Municipal Code, by changing the boundaries of the districts established and shown thereon, the second time.

ANNEXATION 16007 - AMENDING THE LINCOLN CORPORATE LIMITS MAP BY ANNEXING APPROXIMATELY 92.5 ACRES OF PROPERTY GENERALLY LOCATED SOUTH OF YANKEE HILL ROAD AND NORTH OF ROKEBY ROAD, BETWEEN SOUTH 27TH AND SOUTH 40TH STREETS - CLERK read an ordinance, introduced by Cyndi Lamm, an ordinance annexing and including the below described and land as part of the City of Lincoln, Nebraska and amending the Corporate Limits Map attached to and made a part of Ordinance No. 18208, to reflect the extension of the corporate limits boundary of the City of Lincoln, Nebraska established and shown thereon, the second time.

APPROVING A REAL ESTATE SALES AGREEMENT BETWEEN THE CITY OF LINCOLN AND BROCK A. AND KILEY S. SHULER FOR THE SALE OF CITY OWNED PROPERTY GENERALLY LOCATED AT 1732 NORTH 28TH STREET - CLERK read an ordinance, introduced by Cyndi Lamm, an ordinance approving a Real Estate Sales Agreement between the City of Lincoln and Brock A. Shuler and Kiley S. Shuler authorizing the sale of City owned property generally located at 1732 north 28th Street, Lincoln, Nebraska, the second time.

ORDINANCES - 3RD READING & RELATED RESOLUTIONS

AMENDING SECTION 9.24.110 OF THE LINCOLN MUNICIPAL CODE TO ALLOW ELECTRICALLY CHARGED FENCES TO BE INSTALLED FOR SECURITY PURPOSES IN ASSOCIATION WITH THE USE OF AN ALARM SYSTEM; AND REPEALING SECTION 9.24.110 OF THE LINCOLN MUNICIPAL CODE AS HITHERTO EXISTING - PRIOR to reading:

RAYBOULD Moved to amend Bill No. 16-40 in the following manner:

1. On page 5, line 1, strike "Proximity to Residential Zones or Uses" and insert "Locational Restrictions".
2. On page 5, line 2, after the word "be" insert "only allowed in the I-1 Industrial District and".

Seconded by Fellers & carried by the following vote; AYES: Eskridge, Fellers, Gaylor Baird, Lamm, Raybould; NAYS: None; ABSENT: Camp, Christensen.

CLERK Read an ordinance, introduced by Roy Christensen, an ordinance amending Section 9.24.110 of the Lincoln Municipal Code to allow electrically charged fences to be installed for security purposes in association with the use of an alarm system; and repealing Section 9.24.110 of the Lincoln Municipal Code as hitherto existing, the third time.

FELLERS Moved to pass the ordinance as amended.

Seconded by Eskridge & carried by the following vote: AYES: Eskridge, Fellers, Gaylor Baird, Lamm, Raybould; NAYS: None; ABSENT: Camp, Christensen.

The ordinance, is being numbered #20352, is recorded in Ordinance Book 31.

RESOLUTION - FOR ACTION ONLY

APPROVING THE 2016-17 WORK PLAN FOR THE INTERLOCAL AGREEMENT ON STORMWATER MANAGEMENT BETWEEN THE CITY OF LINCOLN AND THE LOWER PLATTE SOUTH NATURAL RESOURCES DISTRICT TO ADDRESS STORMWATER QUALITY AND QUANTITY ISSUES (6/20/16 - ACTION CONT'D TO 7/11/16) - CLERK read the following resolution, introduced by Roy Christensen, Trent Fellers, who moved it adoption:

A-89876 BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska:

That the attached Fiscal Year 2016 - 2017 Work Plan for the Interlocal Agreement on Stormwater Management between the City of Lincoln and the Lower Platte South Natural Resources District, which is attached hereto marked as Attachment "A", is hereby approved and the Mayor is authorized to execute the same on behalf of the City of Lincoln. Said Fiscal Year 2016 - 2017 Work Plan establishes a framework and division of responsibilities for addressing stormwater quality and quantity in the City between the City of Lincoln and the Lower Platte South Natural Resources District and authorizes the use of appropriated monies in accordance with the terms and conditions contained in said Fiscal Year 2016 - 2017 Work Plan.

The City Clerk is directed to transmit a certified copy of the executed original Resolution and Fiscal Year 2016 - 2017 Work Plan for the Interlocal Agreement on Stormwater Management to Ben Higgins, Public Works and Utilities Department, for transmittal to the Lower Platte South Natural Resources District.

Introduced by Roy Christensen

Seconded by Raybould & carried by the following vote: AYES: Eskridge, Fellers, Gaylor Baird, Lamm, Raybould; NAYS: None; ABSENT: Camp, Christensen.

RESOLUTIONS - 1ST READING

APPROVING AN AMENDMENT TO THE WEST HAYMARKET ENTERTAINMENT DISTRICT BOUNDARIES TO REDUCE THE NORTH BOUNDARY FROM THE NORTH CURB LINE TO THE SOUTH CURB LINE OF R STREET WHEN NOT IN USE.

APPROVING AN AMENDMENT TO THE AGREEMENT BETWEEN THE CITY OF LINCOLN ON BEHALF OF THE LINCOLN-LANCASTER COUNTY HEALTH DEPARTMENT AND THE NEBRASKA DEPARTMENT OF ENVIRONMENTAL QUALITY FOR THE HEALTH DEPARTMENT'S AIR QUALITY PROGRAM 105 GRANT WORKPLAN TO PROVIDE AN ADDITIONAL \$30,000.00 FOR THE PURCHASE OF SO2 MONITORING EQUIPMENT AND RELATED SOFTWARE.

APPOINTING MICHAEL HATTEN TO THE STARTRAN ADVISORY BOARD FOR A TERM EXPIRING OCTOBER 20, 2017.

APPROVING A RESOLUTION FOR THE SIGNING OF AN INTERLOCAL AGREEMENT BETWEEN THE CITY OF LINCOLN AND LANCASTER COUNTY FOR THE CONSTRUCTION OF ROADWAY IMPROVEMENTS AND PAVING ON ROKEBY ROAD FROM 84TH TO 98TH STREET FOR LINCOLN ELECTRIC SYSTEM.

ORDINANCES - 1ST READING & RELATED RESOLUTIONS (AS REQUIRED)

CREATING RE-PAVING DISTRICT 159 IN SAUNDERS AVENUE FROM 12TH STREET TO 14TH STREET AND ASSESSING THE COSTS THEREOF AGAINST THE BENEFITTED PROPERTIES - CLERK read an ordinance, introduced by Jane Raybould, creating Re-Paving District No. 159, defining the limits thereof, establishing the width of the roadway to be paved and the width of the grading to be done, providing for the curbing, guttering, and laying of sidewalks, providing for the payment of the cost thereof, designating the property to benefitted, providing for the acquisition of easements and additional right-of-way, if necessary, and repealing all ordinances or parts of ordinances in conflict herewith, the first time.

CHANGE OF ZONE 16018 - APPLICATION OF ST. PATRICK CATHOLIC CHURCH FOR A CHANGE OF ZONE ON LOTS 1-18, BLOCK 44, HAVELOCK FROM O-3 OFFICE PARK DISTRICT TO R-4 RESIDENTIAL DISTRICT AND TO DESIGNATE LOTS 1-18, BLOCK 44 AND LOTS 1-7, BLOCK 61, HAVELOCK AS AN R-4 PLANNED UNIT DEVELOPMENT DISTRICT ON PROPERTY GENERALLY LOCATED AT 6111 MORRILL AVENUE - CLERK read an ordinance, introduced by Jane Raybould, amending the Lincoln Zoning District Maps adopted by reference and made a part of Title 27 of the Lincoln Municipal Code, pursuant to Section 27.05.020 of the Lincoln Municipal Code, by changing the boundaries of the districts established and shown thereon, the first time.

CHANGE OF ZONE 16019 - APPLICATION OF FRIEDA BUSKIRK FOR A CHANGE OF ZONE FROM I-1 INDUSTRIAL DISTRICT TO R-T RESIDENTIAL TRANSITION DISTRICT ON PROPERTY GENERALLY LOCATED AT 1430 SOUTH FOLSOM STREET - CLERK read an ordinance, introduced by Jane Raybould, amending the Lincoln Zoning District Maps adopted by reference and made a part of Title 27 of the Lincoln Municipal Code, pursuant to Section 27.05.020 of the Lincoln Municipal Code, by changing the boundaries of the districts established and shown thereon, the first time.

STREET & ALLEY VACATION 16003 - VACATING A PORTION OF THE WEST ONE-HALF OF SOUTH 98TH STREET RIGHT-OF-WAY SOUTH OF THE INTERSECTION WITH ANDERMATT DRIVE - CLERK read an ordinance, introduced by Jane Raybould, vacating a portion of the west one-half of South 98th Street right-of-way south of the intersection with Andermatt Drive, and retaining title thereto in the City of Lincoln, Lancaster County, Nebraska, the first time.

APPROVING THE SECOND MANAGEMENT AGREEMENT FOR PINNACLE BANK ARENA BETWEEN THE CITY OF LINCOLN AND SMG FOR THE OPERATION AND MANAGEMENT OF PINNACLE BANK ARENA AND OTHER FACILITIES FOR A THREE YEAR TERM COMMENCING SEPTEMBER 1, 2016 WITH THE OPTION TO RENEW FOR ONE ADDITIONAL THREE YEAR TERM - CLERK read an ordinance, introduced by Jane Raybould, whereas, SMG, a Pennsylvania general partnership, currently operates and manages the Arena Site (including the Pinnacle Bank Arena, Arena Garage, and other improvements located thereon), Arena Surface Lot (Festival Space) and Pinewood Bowl, collectively the "Facilities", on behalf of the City and for the benefit of the citizens of the City of Lincoln, the first time.

AN ORDINANCE AMENDING SECTION 1 OF ORDINANCE NO. 20341 WHICH ONLY INCLUDE A PORTION OF LOT 102 IRREGULAR TRACT, LOCATED IN THE SOUTHEAST QUARTER OF SECTION 29, TOWNSHIP 10 NORTH, RANGE 6 EAST OF THE 6TH P.M., LINCOLN, LANCASTER COUNTY, NEBRASKA TO REVISE THE LEGAL DESCRIPTION OF THE ANNEXATION TO INCLUDE ALL OF SAID LOT 102 I.T. TO CONFORM TO THE CORPORATE LIMITS MAP ATTACHED TO AND MADE A PART OF ORDINANCE NO. 20341 - CLERK read an ordinance, introduced by Jane Raybould, amending Section 1 of Ordinance No. 20341 which annexed Lot 45 and a portion of Lot 102 of Irregular Tracts, located in the Southeast Quarter of Section 29, Township 10 North, Range 6 East of the 6th P.M., Lincoln, Lancaster County, Nebraska to revise the legal description of the annexation to include all of said Lot 102 I.T. to conform to the Corporate Limits Map attached to and made part of Ordinance No. 20341, the first time.

AN ORDINANCE AMENDING SECTION 2 OF ORDINANCE NO. 20342 WHICH ONLY INCLUDE A PORTION OF LOT 102 IRREGULAR TRACT, LOCATED IN THE SOUTHEAST QUARTER OF SECTION 29, TOWNSHIP 10 NORTH, RANGE 6 EAST OF THE 6TH P.M., LINCOLN, LANCASTER COUNTY, NEBRASKA TO REVISE THE LEGAL DESCRIPTION OF CHANGE OF ZONE 15036 TO INCLUDE ALL OF SAID LOT 102 I.T. AS INTENDED BY THE REQUEST FOR ORDINANCE AND FACT SHEET FOR SAID CHANGE OF ZONE - CLERK read an ordinance, introduced by Jane Raybould, amending Section 2 of Ordinance No. 20342 which rezoned a portion of Lot 102 Irregular Tract, located in the Southeast Quarter of Section 29, Township 10 North, Range 6 East of the 6th P.M., Lincoln, Lancaster County, Nebraska to R-4 Residential District to revise the legal description of Change of Zone 15036 to include all of said Lot 102 I.T. as reflected in the Request for Ordinance and Fact Sheet for said Change of Zone, the first time.

AMENDING CHAPTER 8.32 OF THE LINCOLN MUNICIPAL CODE TO INCREASE RECYCLING IN LINCOLN BY REQUIRING WASTE HAULERS TO OFFER CURBSIDE RECYCLING SERVICE TO CUSTOMERS, DIVERTING CORRUGATED CARDBOARD AND OTHER PAPER RECYCLABLES AWAY FROM THE LANDFILL, INCREASING CAPACITY OF THE FREE CITY RECYCLING DROP OFF SITES, IMPROVING DATA TRACKING ON RECYCLING, AND IMPLEMENTING A COMMUNITY WIDE RECYCLING EDUCATION CAMPAIGN - CLERK read an ordinance, introduced by Jane Raybould, amending Chapter 8.32 of the Lincoln Municipal Code relating to Solid Wasters by amending Section 8.32.010 to add additional definitions; by amending Section 8.32.040 to add new subsections (c), (d), and (e); and by adding new Sections 8.32.115, 8.32.135, 8.32.136, 8.32.137, 8.32.138, 8.32.139, and 8.32.225; and repealing Sections 8.32.010 and 8.32.040 as hitherto existing, the first time.

ADJOURNMENT

4:07 P.M.

FELLERS Moved to adjourn the City Council Meeting of July 18, 2016.
 Seconded by Raybould & carried by the following vote: AYES: Eskridge, Fellers, Gaylor Baird, Lamm, Raybould; NAYS: None; ABSENT: Camp, Christensen.

Teresa Meier, City Clerk

Rhonda M. Bice, Office Specialist

